

REMARKS

Claims 1-3 and 5-7 remain in this application. Claims 1-3, 5 and 6 were amended to better define the claim terminology and to overcome objections raised by the Examiner. No new matter has been introduced as a result of the amendments. Favorable reconsideration is respectfully requested.

Claims 5 and 6 were objected to for incorrectly referencing canceled claim 4. In light of the above amendments, Applicants respectfully submit that the objections have been addressed, and that the objections be withdrawn.

Claims 2-3 were rejected under 35 U.S.C. §112(2) for indefiniteness. In light of the above amendments, Applicants respectfully submit that the subject matter of the present application has been particularly pointed out and distinctly claimed. Withdrawal of the rejection is earnestly requested.

Claims 1-2, and 5-6 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Lin et al.* (US Patent No. 6,181,849). Additionally, claim 3 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Lin et al.* (US Patent No. 6,181,849) in view of *Strasser et al.* (US Patent No. 5,850,302) or *Henmi* (US Patent No. 6,137,603). Applicants respectfully traverse these rejections. Favorable reconsideration is requested.

Specifically, the cited art, alone or in combination does not disclose a “wavelength demultiplexer filter device [having] low stop-band attenuation only for individual optical signals which are in transmission channels, and further having a high stop-band attenuation outside the transmission channels for a wavelength range containing said [oscillating] instabilities” and “a multiplexer device for combining the individual signals into a wavelength division multiplex signal” as recited in claim 1. *Lin* teaches that a WDM is usually a passive optical network (PON) element or device with multiple optical paths, each of which exhibits a particular passband, similar to an electrical signal processing filter (col. 1, lines 39-41). The passband permits passage of one or more particular wavelengths along the respective optical path, to the substantial exclusion of others. Thus, the WDM can be used to divide wavelengths of incoming light from a multichannel optical signal or to combine various wavelengths on respective optical paths into one multichannel optical signal on one optical path (col. 1, lines 41-47).

Lin further teaches in FIG. 1 that a wavelength add and drop (WAD) site consists of an optical path 3 that carries a multichannel optical signal (light) 5. The multichannel optical signal is sent to an optical demultiplexing unit (ODU) 8 which separates the light into various wavelengths (channels) and outputs optical signals into individual predetermined wavelengths (channels) 9, 11, 13. Furthermore, the optical multiplexing unit (OMU) 7 combines the multiple incoming signals (channels) into a single multichannel optical signal 5 in a single optical path 3 (col. 1, lines 53-62). Accordingly, the disclose in *Lin* only teaches that predetermined wavelengths or channels are passively output via multiplexing/demultiplexing within a set transmission range – there is no teaching or suggestion in the reference that deals with oscillating instabilities occurring outside the transmission range as recited in the present claims.

Regarding the *Strasser* and *Henmi* references, both of these references are silent as to suppressing oscillating instabilities in an optical WDM ring network. *Strasser* (col. 3, lines 19-31) and *Henmi* (col. 4, lines 51-62) both deal with passively transmitting optical signals within a predetermined wavelength or channel, similar to *Lin*, discussed above. According, Applicants respectfully submit that the rejection under 35 U.S.C. §103 are improper and should be withdrawn.

In light of the above, Applicants respectfully submit that independent claim 1, as well as all claims that depend therefrom, are in condition for allowance, which is respectfully requested. The Commissioner is authorized to charge and credit Deposit Account No. 02-1818 for any additional fees associated with the submission of this Response, including any time extension fees. Please reference docket number 112740-191.

Respectfully submitted,

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